

THE NATIONAL CHAMBER LITIGATION CENTER

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this in the Budget?

RB

ROBIN S. CONRAD  
SENIOR VICE PRESIDENT

October 19, 1999

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WASHINGTON, D.C. 20062-2000  
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rconrad@uschamber.com

Mr. F. Anthony Burke  
Vice President Law & General Counsel  
Brown & Williamson Tobacco Corporation  
Law Department  
401 South 4<sup>th</sup> Avenue, Suite 200  
P. O. Box 35090  
Louisville, KY 40232-5090

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Dear Mr. Burke:

I am writing to thank you, and Brown & Williamson Tobacco Corporation, for its support of the National Chamber Litigation Center, and to let you know that Brown & Williamson's annual renewal date is here. An invoice for your 1999 membership dues is attached.

When I wrote to you last year asking for your support, I discussed several of NCLC's litigation efforts of direct benefit to the tobacco industry, such as the *amicus* briefs we filed on class actions in *Castano v. The American Tobacco Co., et al.*, on retroactive liability in *Philip Morris, Inc., et al. v. Sorrell, et al.*, and most recently, on subrogation and proximate cause in *Steamfitters Local Union No. 420 v. Philip Morris, Inc., et al.* As you may know, the *Steamfitters* case served as a model for the legislative advice we provided the Chamber lobbyists who helped draft Senator McConnell's Litigation Fairness Act on which Senate Judiciary Committee hearings are scheduled for November 2.

Since then, we have stepped up our litigation efforts significantly – both as party plaintiffs and *amicus curiae* – and have racked-up important victories in both areas. As a party plaintiff, we struck down two OSHA and EPA rulings in the D.C. Circuit, and as *amicus curiae* helped achieve a sweep of pro-employer decisions under the Americans with Disabilities Act in the Supreme Court.

And, as the enclosed article from *Legal Times* illustrates, we are also working to counter congressional attempts to undermine the doctrine of federal pre-emption, an issue of vital importance to all businesses, including the tobacco industry.

Mr. Burke  
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We greatly appreciated generous Brown & Williamson's support for last year's program. Given this year's even more ambitious litigation agenda, we hope that you will consider increasing the company's support by the standard 20 percent increase we are asking of all our members. Your backing is more important than ever in ensuring that NCLC will not be forced to turn away important business cases merely because of funding limitations.

At whatever level you decide, please know that Brown & Williamson Tobacco Corporation's NCLC membership is very important to us. With your continued support we can make this another very successful year. Please call me if you have any questions regarding our dues request, or for any information regarding our program.

Sincerely,

A handwritten signature in cursive script that reads "Robin".

Robin S. Conrad

cc: J. Kendrick Wells, III - Assistant General Counsel-Product Litigation